

United States District Court

WESTERN DISTRICT OF WASHINGTON

MICHAEL A. BURNHART

JUDGMENT IN A CIVIL CASE

v.

STATE OF WASHINGTON, et al.,

CASE NUMBER: C11-5845RBL/JRC

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Court adopts the Report and Recommendation;

This action is dismissed with prejudice as malicious with the dismissal counting as a strike pursuant to 28 U.S.C. 1915e(2) and 28 U.S.C. 1915(g). All pending motions are denied.

This is the fourth time plaintiff has filed a civil rights action challenging the length of his sentence. He has been repeatedly informed actions of this nature must proceed through habeas corpus.

Plaintiff's actions are abusive of the judicial process and should not be subsidized and encouraged by the generosity of the in forma pauperis statute

November 22, 2011
Date

WILLIAM M. McCOOL
Clerk

s/CM Gonzalez
Deputy Clerk